

REMARKS/ARGUMENTS

Claims 7 and 16-20 have been revised to correct the dependency. Claim 2 has been revised to delete the alternative narrow range. Furthermore, the claims have been rewritten to place them in better form.

The Examiner has rejected Claims 1 and 14 as being anticipated by Bonnet '620 and the remaining claims as obvious over Bonnet '620 combined with one of the secondary references. However, Bonnet '620 is not prior art to the present application because Gerhard Bonnet, the sole inventor in the '620 patent, is the sole inventor in the present application. Thus, Bonnet '620 is not a patent granted on an application for patent by "another".

In view of the above, it is submitted that all of the claims are patentable under 35 U.S.C. 102(e) and 103(a).

With regard to the provisional double patenting rejection, it is noted that a device for determining object distance measurement is not the same as a frequency shifted feedback radiation source.

Although it is believed that the application is now in condition for allowance, if the Examiner believes that further issues remain, it is requested that he telephone the undersigned at 260-460-1692.

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Application Serial No. 10/501,843
Amendment dated June 26, 2007
Reply to Office Action dated December 28, 2006

In the event Applicants have overlooked the need for an extension of time, payment of fee, or additional payment of fee, Applicants hereby petition therefor and authorize that any charges be made to Deposit Account No. ~~02-0385~~, Baker & Daniels.

Respectfully submitted,


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CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: June 26, 2007


JOHN F. HOFFMAN, REG. NO. 26,280

Name of Registered Representative

Signature

June 26, 2007

Date